

REMARKS

Claims 1-20 are pending and under consideration.

The rejections under 35 U.S.C. § 103 are respectfully traversed. Independent claim 1 recites the first warps overlapping the second warps in the unstretched state so that centers of the first warps are above spaces between adjacent ones of the second warps and sides of the first warps are above sides of adjacent ones of the second warps, and the first and the second warps being side-by-side in a stretched state of the head receiving part.

The Examiner admits that Hall McKenzie and Konucik do not teach these features, but instead relies upon Moore. It appears that the Examiner relies upon the filling 3 as corresponding to the claimed warps.

First, it is noted that the filling 3 is a weft, not a warp, as claimed. Instead, element 2 of Moore is a weft.

Second, even assuming, *arguendo*, that the fillings 3 correspond to the claimed warps, the claimed "side-by-side in a stretched state" is not taught. This is because Fig. 3 of Moore is a "distended condition." However, in this state, the warps 3 are not "side-by-side" as claimed.

Accordingly, withdrawal of the rejections is requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 10/763,223

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 9-21-09

By: M. Badagliacca  
Michael J. Badagliacca  
Registration No. 39,099

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501